

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DEANGELO SANDERS,)	
)	
Petitioner,)	
)	
vs.)	Case No. 09-cv-0182-MJR
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

Following a four-day jury trial in an underlying criminal case (*United States v. Sanders*, Case No. 05-cr-30200), this Court sentenced DeAngelo Sanders to concurrent terms of 120 months and 295 months in prison, followed by 5 years of supervised release, plus a \$800 fine and a \$200 special assessment. Judgment was entered on January 19, 2007, and Sanders appealed. The United States Court of Appeals for the Seventh Circuit affirmed Sanders' conviction and sentence in April 2008.

In March 2009, Sanders moved to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. On April 12, 2010, the undersigned Judge dismissed Sanders' § 2255 petition and denied his request for relief. Judgment was entered accordingly on April 12, 2010. Apparently dissatisfied with this disposition, Sanders moved on May 14, 2010 for a certificate of appealability.

In that motion (Doc. 12), Sanders asserts that a certificate of appealability should issue because “jurists of reason would find Judge Reagan’s rulings debatable,” and the “Government and the Court’s [sic] has overlooked Federal Rules of Criminal Procedures” in allowing “hearsay information” from an informant to be used by the Alton Police Department who conducted the traffic stop that was the genesis of the criminal charges underlying his conviction.

A certificate of appealability is needed to proceed with an appeal from this Court’s § 2255 ruling. **See 28 U.S.C. 2253(c)(1)(B).** But the undersigned Judge concludes that Sanders is not entitled to a certificate, because he lacks a substantial constitutional question. Put simply, Sanders has not made a “substantial showing of the denial of a constitutional right.” **28 U.S.C. 2253(c)(2).**

For the reasons thoroughly discussed in this Court’s Order dismissing the § 2255 petition, the Court concludes that Sanders has *not* made the requisite showing to support issuance of a certificate of appealability and therefore **DENIES** his motion (Doc. 12).

IT IS SO ORDERED.

DATED this 24th day of May 2010.

s/ Michael J. Reagan _____
MICHAEL J. REAGAN
United States District Judge